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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KJUS](#) [MOPS](#) [MARR](#) [PTER](#) [MASS](#) [CO](#)  
SUBJECT: SENATE INVESTIGATION INTO SOACHA FALSE POSITIVE  
KILLINGS SPARKS CONTROVERSY

REF: A. BOGOTA 0542  
[1](#)B. BOGOTA 0998

Classified By: Political Counselor John Creamer  
Reasons 1.4 (b and d)

#### SUMMARY

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[1](#)1. (C) A public meeting convoked by the Colombian Senate on the Soacha killings turned heated when Senator Galan challenged Defense Minister Santos' claim that extrajudicial killings stopped after the GOC's high-profile dismissal of 27 military officers for the Soacha murders on October 30 last year. Galan cited a recently published human rights group report as evidence that such killings continued after that date. International organization officials told us that reports of extrajudicial killings have dropped dramatically since the dismissals, but noted that other human rights violations continue. Defense Ministry human rights director Colonel Gomez told us some officials continue to feed President Uribe misinformation in an attempt to portray false positive claims as fabrications by the FARC and leftist human rights groups. We continue to work with the Army and Defense Ministry to develop rules of engagement and practical training programs. End Summary.

#### SOACHA MEETING TURNS HEATED

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[1](#)2. (SBU) A Colombian Senate commission convened a public meeting in Soacha on April 21 to discuss the Soacha "false positive" murders committed by members of the Colombian Army. "El Tiempo" reported that many of the victims' mothers attended and told painful accounts to top GOC military officials--including Vice Minister Sergio Jaramillo, Armed Forces Commander Freddy Padilla, and Army Commander Oscar Gonzalez. The session heated up when Liberal Party Senator Juan Galan--citing a recent report from the Jesuit-run Center for Research and Popular Education (CINEP)--challenged Defense Minister Santos' claim that there have been no such killings since October 30, 2008 (when President Uribe publicly dismissed 27 military officials implicated in the Soacha murders). Fiscalia (Prosecutor General) Human Rights office director Sandra Castro recognized progress in transferring human rights cases from the military criminal justice system to civilian prosecutors, but also accused military officers of obstructing investigations of extrajudicial killings.

## LATEST EJE NUMBERS DISPUTED

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13. (SBU) During the meeting, Jaramillo and Padilla defended the GOC's response to the Soacha killings. In a separate public statement, Santos repeated his previous assertion that the GOC has received no new reports of extrajudicial killings which occurred after October 30. He charged that some groups have a "perverse interest in inflating these numbers" for political reasons. In an April 22 interview, Santos said the extrajudicial killing problem "existed, and I underscore the word existed, because it no longer exists." He concluded that "this is a blemish we are cleaning, and with this correction, the human rights problems in the Public Force disappear." MOD sources told the media that five of the six "new" alleged extrajudicial killings cited by Senator Galan occurred before October 30, 2008, adding the remaining case was dismissed by the Fiscalia.

14. (SBU) The April 2009 CINEP report on "false positives" cited by Galan observed that contrary to Santos' claims, it had received a report of an alleged extrajudicial killing which occurred in Cordoba on December 26, 2008. Still, CINEP's report noted that there were 175 victims of such killings in 2008, a significant drop from the 324 recorded in 2007, and recognized the steps taken by the MOD to address the problem. CINEP cautioned that it was too early to talk of a trend, noting that it reported 96 victims in 2006. The CINEP report added that almost 95% of reported extrajudicial killings were carried out by Army personnel, and recommended that the GOC investigate all new claims and provide protection to the victims' families.

## UNHCR AND ICRC: EJES HAVE DECLINED SHARPLY

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15. (C) Local UN High Commission on Human Rights (UNHCHR) official Jesus Pena and local International Committee of the Red Cross (ICRC) delegate Christophe Beney agreed there has been a dramatic drop in the number of extrajudicial killings reported since Uribe's high-profile dismissal of the 27 officers. The UNHCHR has not received a single report of a murder which occurred after October 30; the ICRC has only received two. Pena attributed the fall directly to the dismissals, noting that it sent a clear message to Army officers that such behavior would not be tolerated. Still, Beney said the ICRC remains concerned by other Colombian military practices, including increasing military use of civilian homes and forcing civilians to collaborate against the FARC, actions which often left them vulnerable to FARC reprisals.

## BUT HR REFORMS CONTINUE TO MEET RESISTANCE

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16. (SBU) Jaramillo and Padilla continue to press for more reforms to reduce human rights violations. Jaramillo organized a two-day workshop--funded by Southcom--on April 16-17 to socialize Army commanders and lawyers to a draft Operations Handbook, as well as to promote the development of new rules of engagement (ROEs). Army participants were skeptical of the Handbook, but accepted that the Army should apply two sets of ROEs: 1) more permissive rules based on international humanitarian law (IHL), which would apply to legitimate military targets; and 2) more restrictive law enforcement rules, which would apply to all other targets. Jaramillo blamed many human rights violations on a lack of training and clarity over the rules governing the use of force. Southcom is working with the Army and the Ministry of Defense to develop the ROEs as well as a real world training program.

17. (SBU) Jaramillo also publicly made the case that the Army is paying a high price internationally due to the extrajudicial killing issue. He said U.S. Senator John Kerry had personally told him during a recent trip to Washington that the "false positives" represented one of the gravest cases of human rights violations in Latin America in decades. Jaramillo noted that because of the Soacha cases, the United Kingdom had withdrawn approximately \$700,000 in human rights aid to the Colombian military (the UK Embassy in Bogota

confirmed this.) Jaramillo stressed that further reforms were critical to restore the Army's reputation and prevent future abuses.

18. (C) Jaramillo's comments were prompted by continuing resistance among some Army officers, retired officers, and right-wing politicians to human rights reforms. Jaramillo told us that only two days before the Southcom sponsored workshop, Army Human Rights directorate head General Jorge Rodriguez tried to cancel the event due to suspicion over Jaramillo's intentions. MOD Human Rights director Colonel Juan Carlos Gomez also told us that Army Commander Oscar Gonzalez continues to feed misinformation to President Uribe in an effort to portray false positives as fabrications by the FARC and leftist human rights groups. In an April 23 op-ed, former Interior Minister Fernando Londono argued the judicial investigations into alleged extrajudicial killings were part of a shameful vendetta by a corrupt and incompetent judiciary. Londono alleged that the Fiscalia (Prosecutor General) was buying witnesses in these cases.  
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